

Amendment Under 37 C.F.R. § 1.111
USSN 10/782,841
Attorney Docket Q79558
November 10, 2004

REMARKS

Claims 2-7 are all the claims pending in the application.

In the last Office Action Claim 2 was rejected under 35 U.S.C. § 102(b) as being anticipated by Nobuyuki (DE 06 26 748) or Wolfgang (DE 100 39 216). New Claims 3-7 inclusive have been added, each of which are dependent from Claim 2. Reconsideration and allowance of Claims 2-7 inclusive are respectfully requested in view of the following remarks.

The subject matter of the present invention is directed to the definition of formation of the magnetic flux density distribution direction portion. It is submitted that this is not disclosed or suggested by either of the references relied upon in the last Office Action.

Claim 2 is directed to a cylindrical magnet fixed to a rotational member and a magnetic flux density distribution correction portion formed on an outer circumferential surface of the magnet. This is for the purpose of equalizing the magnetic flux density in the direction of the rotation axis (Z axis) when the relative position has changed between the magnetoelectric conversion element and the magnet. The patent to Nobuyuki discloses that the permanent magnets 31 are mounted on an outer casing 32 (column 6, lines 21-22). The outer casing 32 is not rotatable so that the permanent magnets 31 are also rotatable. Accordingly, Claim 2 as well as the claims dependent therefrom are not anticipated by or obvious in view of the teachings of Nobuyuki.

The patent to Wolfgang discloses that an angle sensor includes a cylindrical magnet (2:Magneten) fixed to a rotational member (10:Halteteil) and rotating with the rotation of the

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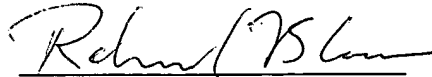
rotational member 10. A magnetoelectric conversion element (4:Gradiometer) is disposed in the magnetic field generated by the magnet (2:Magneten) and outputs an electric signal corresponding to the magnetic field wherein a magnetic flux density distribution correction portion (3:Pulschuhs) is formed on an outer circumferential surface of the magnet. However, the magnetic flux density distribution correction portion (3:Pulschuhs) is fixed on the inside of the magnet. As for the top portion of the magnetic flux density distribution correction portion the changes corresponding to the rotational angle are shown in Figures 3 and 4-6. On the basis of the foregoing comments it is clear that Claim 2, as well as Claims 3-7 are not anticipated by or obvious in view of the teachings of Wolfgang. In view of the foregoing arguments it is submitted that Claims 2-7 inclusive are clearly patentable over the references of record and it is respectfully requested that these claims be allowed and the application passed to issue forthwith.

If for any reason the Examiner is unable to allow the application on the next Office Action and feels that an interview would be helpful to resolve any remaining issue, the Examiner is respectfully requested to contact the undersigned attorney for the purpose of arranging such an interview.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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